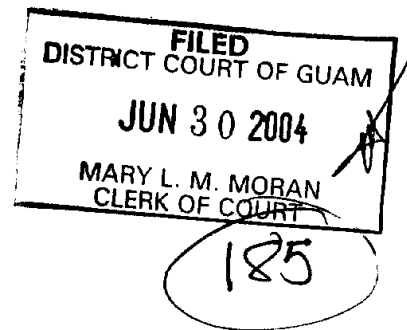


**LAW OFFICES OF BRONZE & TANG**

A Professional Corporation  
BankPacific Building, 2<sup>nd</sup> Floor  
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*Attorneys for Defendant Hongkong and Shanghai Banking Corporation, Ltd.*

DISTRICT COURT OF GUAM

ALAN SADHWANI, LAJU  
SADHWANI, and K. SADHWANI'S  
INC., a Guam corporation,

Plaintiffs,

v.

HONGKONG AND SHANGHAI  
BANKING CORPORATION, LTD.,  
et al.,

Defendants.

CIVIL CASE NO. 03-00036

**DECLARATION OF JACQUES G.  
BRONZE IN SUPPORT OF HSBC's  
EX PARTE APPLICATION FOR  
LETTERS OF REQUEST FOR  
TAKING THE DEPOSITION AND  
PRODUCTION OF DOCUMENTS OF  
HARESH MUKHI IN THE UNITED  
ARAB EMIRATES**

**I, JACQUES G. BRONZE**, hereby declare and state as follows:

1. All matters herein are based on my own personal knowledge.
2. I am over 18 years of age, and legally competent to testify to the facts below and I do so based upon my own personal knowledge.
3. I am the counsel of record for Hongkong and Shanghai Banking Corporation, Ltd., ("HSBC"), in the above-entitled matter.
4. Attached as Exhibits "1" and "2" are true and correct copies of HSBC's First Set of Interrogatories to Plaintiff K. Sadhwani's Inc., and Plaintiffs' Responses and Objections to HSBC's First Set of Interrogatories, respectively.

5. The evidence sought in the deposition of Mr. Haresh Mukhi ("Mukhi"), is essential to the trial in this case and will be admissible at trial. One of the causes of action in this case is whether HSBC breached the purported loan workout agreement with Plaintiffs by selling the loan to Paradise Marine Corporation. One of the condition precedents to the purported workout to be satisfied by Plaintiffs was obtaining "alternative financing."

6. On information and belief, Mr. Mukhi is an employee or owner of Mayura Khamas Stores, L.L.C.. He has been identified by Plaintiffs as a witness in their Responses and Objections to Defendant's First Set of Interrogatories. See, Exhibits "1" and "2" attached. Mr. Mukhi is believed to have substantial, relevant discoverable information relating to the First, Second, Fourth and Fifth Causes of Action. See, Exhibits "1" and "2" attached. Moreover, in response to HSBC's Interrogatory No. 7, Plaintiffs identified Mr. Mukhi as a witness they intend to call to testify at trial in support of their allegations made in their Complaint. See, Exhibits "1" and "2" attached. Mr. Mukhi will be required to produce certain documents and be examined on, and amongst other matters, his or his company's involvement and knowledge of any negotiations and/or agreements relating to any replacement or "alternative financing" of Plaintiffs' loan with HSBC.

7. The discovery deadline in this case is now set for August 17, 2004, and it is not with great certainty clear how long it will take for the appropriate judicial authority in the United Arab Emirates ("UAE") to issue an Order for the deposition of Mr. Mukhi. For this reason, I respectfully request that this Court act expeditiously in hearing and granting HSBC's *Ex Parte* Application for Issuance of Letters of Request to take the Deposition of Mr. Mukhi.

8. I have advised Plaintiffs' counsel of this *Ex Parte* Application by a letter dated June 30, 2004. A true and correct copy of the letter is attached as Exhibit "3." At 11:20 p.m.

today, I received a telephone call from Plaintiffs' counsel who indicated that she had no objection to HSBC's *Ex Parte* Application except for one change in the Letters of Request allowing her the right to participate telephonically in the deposition which I agreed too.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

**EXECUTED** this 30<sup>th</sup> day of June 2004.



---

**JACQUES G. BRONZE**

LAW OFFICES OF BRONZE & TANG, P.C.  
BankPacific Building, Suite 201  
825 South Marine Drive  
Tamuning, Guam 96913  
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Law Offices  
ARRIOLA, COWAN, ARRIOLA

MAR 25 2004

RECEIVED

BY: Cob TIME: 10:55

Attorneys for Defendant The Hongkong and Shanghai Banking Corporation Ltd.

IN THE DISTRICT COURT OF GUAM

ALAN SADHWANI, LAJU  
SADHWANI, and K. SADHWANI'S  
INC., a Guam corporation,

Plaintiffs,

v.

HONGKONG AND SHANGHAI  
BANKING CORPORATION, LTD.,  
et al.,

Defendants.

CIVIL CASE NO. 03-00036

**DEFENDANT HSBC'S FIRST  
SET OF INTERROGATORIES  
TO PLAINTIFF  
K. SADHWANI'S INC.**

**TO: PLAINTIFF K. SADHWANI'S INC., and its attorneys of record,  
Arriola Cowan & Arriola**

Defendant Hongkong and Shanghai Banking Corporation, Ltd. ("HSBC") hereby requests, pursuant to Federal Rules of Civil Procedure 26 and 33, that Plaintiff K. Sadhwani's Inc. ("KSI") respond separately and completely in writing and under oath to the following interrogatories. Such responses must be made within thirty (30) days of the date of service hereof or such earlier date as the Court may order. In answering these interrogatories, please refer to the following definitions and instructions, which are

ORIGINAL

EXHIBIT

1

incorporated into each interrogatory by this reference.

I.

**INSTRUCTIONS**

A. Unless otherwise specified, these interrogatories refer to the time period from January 1, 1994, to the present.

B. In answering these interrogatories, you must furnish all requested information, not subject to a valid objection, that is known by, possessed by, or available to you or any of your attorneys, agents, consultants, representatives, and all others acting on your behalf.

C. If you are unable to answer fully any of these interrogatories, you must answer them to the fullest extent possible, specifying the reason(s) for your inability to answer the remainder and stating whatever information, knowledge, or belief you have concerning the unanswerable portion.

D. When an interrogatory requests that you identify any person(s), state his, her, or its name, the person's present and last known business address and telephone number and, if a natural person, his or her business or occupation, the title or position he or she presently holds and held at the time to which the interrogatory refers, and the name of such person's employer.

E. For each interrogatory, identify each person to whom the information is a matter of personal knowledge, if any.

F. When an interrogatory requests that you identify any documents, state the date and author of the documents, the type of document (e.g., letter, memorandum, telegram, chart, tape recording, etc.), or some other means of identifying it, and its present location or custodian. If any such document was, but is no longer, in your possession or subject to your control, state what disposition was made of it.

G. When an interrogatory requests that you identify a communication or discussion, set forth the following information:

- a. the date(s), time(s), and place(s) it occurred;
- b. the identity of all person or persons who participated in and/or witnessed all or any part of the communication or discussion;
- c. whether the communication or discussion was written or oral;
- d. any documents that reflect such communication or discussion; and
- e. the substance of what was said in the communication or discussion.

H. When an interrogatory requests that you identify a document, set forth the following information:

- a. a general description of the subject matter of the document;

- b. the author of the document;
- c. all persons to whom the document is addressed  
and all persons to whom copies of the document  
were furnished, together with their job titles;
- d. the date of the document;
- e. the present custodian and location of the document; and
- f. whether the document has been produced  
or provided to any person in connection  
with other litigation, or in any other  
circumstances.

I. If an interrogatory asks for a date, or an amount, or any other specific information, it will not be an adequate response to state that the precise date, amount, or other specific information is unknown to you if you are capable of approximating the information requested.

J. If you object to an interrogatory or a part thereof as calling for information that is beyond the scope of discovery, you must, nevertheless, answer the interrogatory or part thereof to the extent that it is not objectionable.

K. If you object to any interrogatory concerning the identification or disclosure of any document on the ground that it requires information that is subject to the attorney-client privilege or any other privilege, or falls within the work product

doctrine, and based on such objection you withhold the identification or disclosure of the document or thing withheld, you must identify, with sufficient specificity to enable Husband, to file a motion to compel production, the nature of the privilege or doctrine upon which you are relying; and

- a. a general description of the subject matter of the document;
- b. the author of the document;
- c. all persons to whom the document is addressed and all persons to whom copies of the document were furnished, together with their job titles;
- d. the date of the document;
- e. the present custodian and location of the document; and
- f. whether the document has been produced or provided to any person in connection with other litigation, or in any other circumstances.

## II.

### DEFINITIONS

1. The terms "you," "your," or "Defendant" refer to KSI and any of its past or present employees, attorneys, accountants, consultants, representatives, agents, independent contractors, assigns, predecessors, successors, parents, subsidiaries, affiliates, divisions, directors, or officers.

2. "Document" and "documents" shall be used in their broadest sense and shall mean and include all written, printed, typed, recorded, computer-stored, or graphic



matter of every kind and description, both originals and copies, and all attachments and appendices thereto. Without limiting the foregoing, the terms "document" and "documents" shall include all agreements, contracts, communications, correspondence, letters, telegrams, telexes, messages, memoranda, records, reports, books, summaries or other records of telephone conversations or interviews, summaries or other records of personal conversations, minutes or summaries or other records of meetings and conferences, summaries or other records of negotiations, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, visitor records, forecasts, statistical data, financial statements, work sheets, work papers, drafts, graphs, maps, charts, tables, analytical records, consultants' reports, appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone bills, telephone message slips, statements, records of expenditures, invoices, lists, journals, files, printouts, compilations, tabulations, purchase orders, receipts, confirmations, checks, canceled checks, letters of credit, envelopes or folders or similar containers, vouchers, analysis, studies, surveys, transcripts of hearings, transcripts of testimony, expense reports, microfilm, microfiches, articles, speeches, tape or disc recordings, sound recordings, video recordings, film, tape, photographs, punch cards, programs, data compilations from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, or electronically stored

matter, however and by whomever produced, prepared, reproduced, disseminated, or made. "Document" or "documents" includes all copies of documents by whatever means made, except that where a document is identified or produced, identical copies thereof which do not contain any markings, additions, or deletions different from the original need not be separately produced.

3. The terms "pertain" and "reflecting, referring to, or relating to" shall be interpreted to include any document in any way summarizing, constituting, containing, studying, analyzing, considering, explaining, mentioning, showing, describing, incorporating, or commenting upon the subject matter of the interrogatory or request.

4. "And" as well as "or" refer to all documents, persons, entities, or subjects inclusively.

5. "Any" refers to any and all documents, persons, entities, or subjects inclusively, not to the option of responding as to some but not others.

### III.

#### INTERROGATORIES

##### INTERROGATORY NO. 1:

State the names, residence and mailing addresses, and work and home telephone numbers of each person having knowledge of the facts supporting any of the allegations contained in the First Cause of Action in your Complaint for Damages dated October 21, 2003.

ANSWER:

INTERROGATORY NO. 2:

State the names, residence and mailing addresses, and work and home telephone numbers of each person having knowledge of the facts supporting any of the allegations contained in the Second Cause of Action in your Complaint for Damages dated October 21, 2003.

ANSWER:

INTERROGATORY NO. 3:

State the names, residence and mailing addresses, and work and home telephone numbers of each person having knowledge of the facts supporting any of the allegations contained in the Third Cause of Action in your Complaint for Damages dated October 21, 2003.

ANSWER:

INTERROGATORY NO. 4:

State the names, residence and mailing addresses, and work and home telephone numbers of each person having knowledge of the facts supporting any of the allegations contained in the Fourth Cause of Action in your Complaint for Damages dated October 21, 2003.

ANSWER:

INTERROGATORY NO. 5:

State the names, residence and mailing addresses, and work and home telephone numbers of each person having knowledge of the facts supporting any of the allegations contained in the Fifth Cause of Action in your Complaint for Damages dated October 21, 2003.

ANSWER:

INTERROGATORY NO. 6:

State the names, residence and mailing addresses, and work and home telephone numbers of each person having knowledge of the facts supporting any of the allegations contained in the Sixth Cause of Action in your Complaint for Damages dated October 21, 2003.

ANSWER:

INTERROGATORY NO. 7:

State the names, residence and mailing addresses, and work and home telephone numbers of each person you intend to call as a witness to testify at trial in support of the allegations made in your Complaint for Damages dated October 21, 2003.

ANSWER:

INTERROGATORY NO. 8:

State the names, residence and mailing addresses, and work and home telephone numbers of each person you obtained written or recorded statements from concerning the issues in this action.

ANSWER:

INTERROGATORY NO. 9:

List the name, address, qualifications and area of expertise of each expert witness you intend to call at trial, summarize each opinion that will be given, indicate whether a report has been provided by each such expert, and specify the facts upon which each

opinion is based.

ANSWER:

INTERROGATORY NO. 10:

Please state in detail the amount of damages which you contend you are entitled to as a result of each Cause of Action in your Complaint for Damages dated October 21, 2003, the manner in which said damages were computed, and state the names, residence and mailing addresses, and work and home telephone numbers of each person having knowledge of the facts supporting each claim for damages.

ANSWER:

Dated this 25 day of March, 2004.

LAW OFFICES OF BRONZE & TANG, P.C.  
Attorneys for HSBC

By: \_\_\_\_\_

JACQUES G. BRONZE

CERTIFICATE OF SERVICE

I, Jacques G. Bronze, hereby certify that on March 25<sup>th</sup>, 2004, I caused to be served, via hand delivery, Defendant HSBC's First Set of Interrogatories to Plaintiff K. Sadhwani's Inc. to Plaintiffs' counsel, Arriola Cowan & Arriola, 259 Martyr Street, Suite 201, Hagatna, Guam 96910.

  
\_\_\_\_\_  
JACQUES G. BRONZE



JOAQUIN C. ARRIOLA  
ANITA P. ARRIOLA  
ARRIOLA, COWAN & ARRIOLA  
259 Martyr Street, Suite 201  
Hagåtña, Guam 96910  
Tel: (671) 477-9730  
Fax: (671) 477-9734

Attorneys for Plaintiffs Alan Sadhwani, et al.

IN THE UNITED STATES  
DISTRICT COURT OF GUAM

ALAN SADHWANI, LAJU  
SADHWANI, and K. SADHWANI'S  
INC., a Guam corporation,

Plaintiffs,

vs.

HONGKONG AND SHANGHAI  
BANKING CORPORATION, LTD., a  
Foreign corporation,  
JOHN DOE I through JOHN DOE X,

Defendants.

CIVIL CASE NO. 03-00036

PLAINTIFF K. SADHWANI  
INC.'S RESPONSES AND  
OBJECTIONS TO  
DEFENDANT'S FIRST SET OF  
INTERROGATORIES

Pursuant to Federal Rules of Civil Procedure 26 and 33, plaintiff K. Sadhwani's, Inc. ("Plaintiff") hereby responds to the First Set of Interrogatories served by defendant Hongkong and Shanghai Banking Corporation, Ltd. ("HSBC"), as follows:

**GENERAL OBJECTIONS**

Plaintiff generally objects to the Interrogatories on each and every of the following grounds, which General Objections are incorporated into and made a part of Plaintiff's response to each and every individual interrogatory contained therein.



1. Plaintiff objects that the Interrogatories are overly broad, unduly burdensome, oppressive, and harassing.

2. Plaintiff objects to each and every interrogatory to the extent that it purports to impose any requirement or discovery obligation upon Plaintiff other than as set forth in the Federal Rules of Civil Procedure and any applicable local rule of this court. In particular, Plaintiff objects to the interrogatories to the extent they seek to impose obligations in excess of or inconsistent with those imposed by the Federal Rules of Civil Procedure, particularly Rules 26 and 33 thereof. Plaintiff will comply with the requirements of these Rules in responding to this set of interrogatories.

3. Plaintiff objects to these interrogatories to the extent they seek information unknown to Plaintiff or documents not in Plaintiff's possession, custody or control. All of the responses contained herein are based only upon such information and documents as are presently available to and specifically known and identified by Plaintiff.

4. Plaintiff objects to these interrogatories to the extent they seek information or documents that are already known by or in the possession of HSBC or its counsel or information or documents that are equally available to HSBC.

5. Plaintiff objects to each and every definition, instruction, interrogatory, and request for production to the extent that it seeks information that is not relevant to any claim or defense in the present action and is not relevant to the subject matter involved in the action.

6. Plaintiff objects to these interrogatories on the grounds that discovery in this action is at an early stage, and no depositions have been taken as of the date of these answers. The following responses are given without prejudice to Plaintiff's right to produce evidence of any subsequently discovered documents or other documents which they may later recall or identify, or

which may later be discovered to be responsive to these requests. The responses contained herein are made in a good faith effort to provide those documents which are presently known, available and/or identified, but should in no way be to the prejudice of Plaintiff with respect to further discovery, research or analysis. In addition, HSBC has not complied with its discovery obligations pursuant to Federal Rules of Civil Procedure 34, requiring plaintiffs to file a motion to compel responses to their Third Set of Requests for Production of Documents. Plaintiff may therefore have been unable to obtain responsive information from HSBC and third parties as a result of HSBC's discovery violations.

7. Plaintiff objects to these interrogatories to the extent they seek information or documents that are protected from discovery by the attorney-client privilege, the work product doctrine, the right to privacy, or any other applicable privilege. No such privileged information or such documents will be produced. Any inadvertent production of privileged information or documents is not to be deemed a waiver of any applicable privilege or protection, and Plaintiff reserves the right to object to the introduction or other use of any privileged information or documents that have been produced inadvertently.

The foregoing General Objections apply to each and every respective interrogatory and Plaintiff's additional objections and responses to specific interrogatories are set forth below.

### OBJECTIONS TO INSTRUCTIONS

A. Plaintiff objects to Instruction A on the grounds that it is vague, ambiguous and overbroad, in that it instructs plaintiffs to consider the interrogatories to refer "to the time period from January 1, 1994 to the present." (Emphasis added) The ten-year time period contained in this Instruction is not relevant to the claims or defenses in this action nor is it reasonably calculated to lead to admissible evidence.

B. Plaintiff objects to Instruction B to the extent it imposes or purports to impose obligations on Plaintiff greater than those set forth in the Federal Rules of Civil Procedure, the Local Rules, and other applicable statutes, rules and authorities.

C. Plaintiff objects to Instruction D in that it requires plaintiff to answer additional interrogatories or questions not labelled as "interrogatories" and violates the numerical limitation on interrogatories under the Local Rules.

D. Plaintiff objects to Instruction E, since plaintiff cannot possibly indicate for each interrogatory, the identity of each person to whom any information is a matter of personal knowledge.

E. Plaintiff objects to Instruction G in that it requires plaintiff to answer additional interrogatories or questions not labelled as "interrogatories" and violates the numerical limitation on interrogatories under the Local Rules.

F. Plaintiff objects to Instruction H in that it requires plaintiff to answer additional interrogatories or questions not labelled as "interrogatories" and violates the numerical limitation on interrogatories under the Local Rules.

G. Plaintiff objects to Instruction I to the extent it imposes or purports to impose obligations on Plaintiff greater than those set forth in the Federal Rules of Civil Procedure, the Local Rules, and other applicable statutes, rules and authorities.

H. Plaintiff objects to Instruction K to the extent it imposes or purports to impose obligations on Plaintiff greater than those set forth in the Federal Rules of Civil Procedure, the Local Rules, and other applicable statutes, rules and authorities. Plaintiff further objects to Instruction K as it refers to "Husband", and there is no "Husband" involved in this case, except perhaps Mr. Sadhwani in his relationship to his wife Laju Sadhwani.

## OBJECTIONS TO DEFINITIONS

1. Plaintiff objects to the definitions of "you", "your", and "Defendant", as Mr. Sadhwani is not a defendant in this case. The definition of those terms refers to "AS", which is vague and unintelligible. Further the definition of those terms include "any of his past or present employees", "independent contractors", "predecessors", "parents", "subsidiaries", "affiliates", "divisions", "directors" or "officers", all of which are vague, ambiguous, overbroad and unintelligible. The terms also include "attorneys" and "accountants", which are objectionable based on privilege.

2. Plaintiff objects to the definitions of "pertain" and "reflecting, referring to, or relating to", all of which are vague, ambiguous, overbroad and unintelligible.

3. Plaintiff objects to the definitions of "and" and "or", all of which are vague, ambiguous, overbroad and unintelligible.

4. Plaintiff objects to the definitions of "any" all of which are vague, ambiguous, overbroad and unintelligible.

## ANSWERS TO INTERROGATORIES

**ANSWER TO INTERROGATORY NO. 1:** Plaintiff incorporates by reference the foregoing General Objections, Objections to Instructions, and Objections to Definitions, as though fully set forth herein. Plaintiff objects to this interrogatory on the grounds that it is vague, ambiguous and overbroad. Plaintiff objects to this interrogatory to the extent that it seeks information protected by the attorney-client or attorney work product privilege. Without waiving and subject to said objections, plaintiff responds as follows:

**Chris Underwood**  
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**Fred Granillo**  
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**Stephen J. Grantham**  
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**Florence Celeste**  
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**Guy Priestley**  
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**John Lee**  
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**Laura Lynn Dacanay**  
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**Alan Sadhwani**  
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**Laju Sadhwani**  
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**Carol Gogue**  
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**Mr. Haresh Mukhi**  
Mayura Khamas Stores L.L.C.  
Murshid Bazar  
Beira, Dubai U.A.E.

**Vashi Jadwani**  
Jadwani International Inc.  
#4 Ind'l Avenue  
Severina Ind'l Estate  
KM.16 South Super Highway  
1700 Paranaque, Metro Manila  
Philippines

**Don Hemlani**  
P.O. Box 2397  
Hagatna, Guam 96932  
Telephone No. (671) 646-9866

**ANSWER TO INTERROGATORY NO. 2:** Plaintiff incorporates by reference the foregoing General Objections, Objections to Instructions, and Objections to Definitions, as though fully set forth herein. Plaintiff objects to this interrogatory on the grounds that it is vague, ambiguous and

overbroad. Plaintiff objects to this interrogatory to the extent that it seeks information protected by the attorney-client or attorney work product privilege. Without waiving and subject to said objections, plaintiff responds as follows:

**Chris Underwood**  
Hongkong & Shanghai Banking Corporation  
Ltd.  
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Tamuning, Guam 96913  
Telephone No. (671) 647-8536

**Fred Granillo**  
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Corporation Ltd.  
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**Stephen J. Grantham**  
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**Magnus Montan**  
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**Joseph K. Fang**  
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**John Lee**  
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**Laura Lynn Dacanay**  
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**Alan Sadhwani**  
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**Laju Sadhwani**  
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**Mr. Haresh Mukhi**  
Mayura Khamas Stores L.L.C.  
Murshid Bazar  
Beira, Dubai U.A.E.

**Vashi Jadwani**  
Jadwani International Inc.  
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Severina Ind'l Estate  
KM.16 South Super Highway  
1700 Paranaque, Metro Manila  
Philippines

**Don Hemlani**  
P.O. Box 2397  
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Telephone No. (671) 646-9866

**ANSWER TO INTERROGATORY NO. 3:** Plaintiff incorporates by reference the foregoing General Objections, Objections to Instructions, and Objections to Definitions, as though fully set forth herein. Plaintiff objects to this interrogatory on the grounds that it is vague, ambiguous and overbroad. Plaintiff objects to this interrogatory to the extent that it seeks information protected by the attorney-client or attorney work product privilege. Without waiving and subject to said objections, plaintiff responds as follows:

**Chris Underwood**  
Hongkong & Shanghai Banking Corporation Ltd.  
436 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-8536

**Fred Granillo**  
Hongkong & Shanghai Banking Corporation Ltd.  
436 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-8528

**Stephen J. Grantham**  
Triple J Motors  
157 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-6555 ext. 239

**Magnus Montan**  
c/o HSBC  
1 Queens Road Central  
Hong Kong SAR  
Telephone No. (852) 2822-2528

**Lawrence M. Zhang**  
1011 Foster Street  
Alameda, California 94502  
Telephone No. (310) 521-4631

**Christopher Page**  
c/o HSBC  
1 Queens Road Central  
Hong Kong SAR  
Telephone No. (852) 8222-1232

**Guy Priestley**  
c/o HSBC  
GPO Box 121, G-F  
Shaheen Commercial Complex  
MR Kayani Road, Karachi, Pakistan  
Telephone No. 92-21-2630380

**Alan Sadhwani**  
371 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-5948/1988

**Laju Sadhwani**  
371 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-5948/1988

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

**ANSWER TO INTERROGATORY NO. 4:** Plaintiff incorporates by reference the foregoing General Objections, Objections to Instructions, and Objections to Definitions, as though fully set forth herein. Plaintiff objects to this interrogatory on the grounds that it is vague, ambiguous and overbroad. Plaintiff objects to this interrogatory to the extent that it seeks information protected by the attorney-client or attorney work product privilege. Without waiving and subject to said objections, plaintiff responds as follows:

**Chris Underwood**  
Hongkong & Shanghai Banking Corporation  
Ltd.  
436 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-8536

**Fred Granillo**  
Hongkong & Shanghai Banking  
Corporation Ltd.  
436 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-8528

**Stephen J. Grantham**  
Triple J Motors  
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Tamuning, Guam 96913  
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Hong Kong SAR  
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**Lawrence M. Zhang**  
1011 Foster Street  
Alameda, California 94502  
Telephone No. (310) 521-4631

**Christopher Page**  
c/o HSBC  
1 Queens Road Central  
Hong Kong SAR  
Telephone No. (852) 8222-1232

**Chris Felix**  
Century 21 Realty Management Company  
701 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-5003

**Hee K. Cho**  
4032 Wilshire Boulevard #404  
Los Angeles, California 90010  
Telephone No. (323) 932-1200

**Guy Priestley**  
c/o HSBC  
GPO Box 121, G-F  
Shaheen Commercial Complex  
MR Kayani Road, Karachi, Pakistan  
Telephone No. 92-21-2630380

**Edwin Ching**  
330 Hernan Cortez Avenue, Suite 200  
Hagatna, Guam 96910  
Telephone No. (671) 472-8868

**Joseph K. Fang**  
240 Father San Vitores Road  
Tamuning, Guam 96913  
Telephone No. Unknown

**Patrick B. Oliva**  
First Hawaiian Bank, Maite Branch  
400 Route 8  
Mongmong, Guam 96910  
Telephone No. (671) 475-7853

**John Lee**  
First Hawaiian Bank, Maite Branch  
400 Route 8  
Mongmong, Guam 96910  
Telephone No. (671) 475-7900

**Laura Lynn Dacanay**  
First Hawaiian Bank, Maite Branch  
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Telephone No. (671) 475-7900

**Alan Sadhwani**  
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Telephone No. (671) 649-5948/1988

**Laju Sadhwani**  
371 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-5948/1988

**Mr. Haresh Mukhi**  
Mayura Khamas Stores L.L.C.  
Murshid Bazar  
Beira, Dubai U.A.E.

**Vashi Jadwani**  
Jadwani International Inc.  
#4 Ind'l Avenue  
Severina Ind'l Estate  
KM.16 South Super Highway  
1700 Paranaque, Metro Manila  
Philippines

**Don Hemlani**  
P.O. Box 2397  
Hagatna, Guam 96932  
Telephone No. (671) 646-9866

**ANSWER TO INTERROGATORY NO. 5:**

Plaintiff incorporates by reference the foregoing General Objections, Objections to Instructions, and Objections to Definitions, as though fully set forth herein. Plaintiff objects to this interrogatory on the grounds that it is vague, ambiguous and overbroad. Plaintiff objects to this interrogatory to the extent that it seeks information protected by the attorney-client or attorney work product privilege. Without waiving and subject to said objections, plaintiff responds as follows:

**Chris Underwood**  
Hongkong & Shanghai Banking Corporation Ltd.  
436 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-8536

**Fred Granillo**  
Hongkong & Shanghai Banking Corporation Ltd.  
436 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-8528

**Stephen J. Grantham**  
Triple J Motors  
157 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-6555 ext. 239

**Magnus Montan**  
c/o HSBC  
1 Queens Road Central  
Hong Kong SAR  
Telephone No. (852) 2822-2528

**Lawrence M. Zhang**  
1011 Foster Street  
Alameda, California 94502  
Telephone No. (310) 521-4631

**Christopher Page**  
c/o HSBC  
1 Queens Road Central  
Hong Kong SAR  
Telephone No. (852) 8222-1232

**Chris Felix**  
Century 21 Realty Management Company  
701 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-5003

**Hee K. Cho**  
4032 Wilshire Boulevard #404  
Los Angeles, California 90010  
Telephone No. (323) 932-1200

**Ralph McLain**  
Lud Valley R.D.1 Hirai Nelson  
New Zealand  
Telephone No.: Unknown

**Lee H. Vensel**  
Deloitte & Touche LLP  
361 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 646-3884 ext. 201

**Christina Carpio**  
4204 Glennwood Drive  
Killeen, Texas 76542  
Telephone No. (254) 690-9261/4224

**Barbara Gayle**  
1055 Cordova Way  
Vista, California 92081  
Telephone No. (760) 597-9406

**Florence Celeste**  
P.O. Box 94  
East Boston, Massachusetts 02128  
Telephone No. (857) 222-8958

**Anthony G. Wise**  
c/o HSBC  
Private Bag X951  
Houghton 2041, South Africa  
Telephone No. 27-11-981-4444

**Guy Priestley**  
c/o HSBC  
GPO Box 121, G-F  
Shaheen Commercial Complex  
MR Kayani Road, Karachi, Pakistan  
Telephone No. 92-21-2630380

**Edwin Ching**  
330 Hernan Cortez Avenue, Suite 200  
Hagatna, Guam 96910  
Telephone No. (671) 472-8868

**Joseph K. Fang**  
240 Father San Vitores Road  
Tamuning, Guam 96913  
Telephone No. Unknown

**Patrick B. Oliva**  
First Hawaiian Bank, Maite Branch  
400 Route 8  
Mongmong, Guam 96910  
Telephone No. (671) 475-7853

**John Lee**  
First Hawaiian Bank, Maite Branch  
400 Route 8  
Mongmong, Guam 96910  
Telephone No. (671) 475-7900

**Laura Lynn Dacanay**  
First Hawaiian Bank, Maite Branch  
400 Route 8  
Mongmong, Guam 96910  
Telephone No. (671) 475-7900

**Alan Sadhwani**  
371 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-5948/1988

**Laju Sadhwani**  
371 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-5948/1988

**Carol Gogue**  
First Hawaiian Bank, Maite Branch  
400 Route 8  
Mongmong, Guam 96910  
Telephone No. (671) 475-7900

**Mr. Haresh Mukhi**  
Mayura Khamas Stores L.L.C.  
Murshid Bazar  
Beira, Dubai U.A.E.

**Vashi Jadwani**  
Jadwani International Inc.  
#4 Ind'l Avenue  
Severina Ind'l Estate  
KM.16 South Super Highway  
1700 Paranaque, Metro Manila  
Philippines

**Don Hemlani**  
P.O. Box 2397  
Hagatna, Guam 96932  
Telephone No. (671) 646-9866

**ANSWER TO INTERROGATORY NO. 6:** Plaintiff incorporates by reference the foregoing General Objections, Objections to Instructions, and Objections to Definitions, as though fully set forth herein. Plaintiff objects to this interrogatory on the grounds that it is vague, ambiguous and overbroad. Plaintiff objects to this interrogatory to the extent that it seeks information protected by the attorney-client or attorney work product privilege. Without waiving and subject to said objections, plaintiff responds as follows:

**Chris Underwood**  
Hongkong & Shanghai Banking Corporation Ltd.  
436 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-8536

**Fred Granillo**  
Hongkong & Shanghai Banking Corporation Ltd.  
436 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-8528

**Stephen J. Grantham**  
Triple J Motors  
157 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-6555 ext. 239

**Magnus Montan**  
c/o HSBC  
1 Queens Road Central  
Hong Kong SAR  
Telephone No. (852) 2822-2528

**Lawrence M. Zhang**  
1011 Foster Street  
Alameda, California 94502  
Telephone No. (310) 521-4631

**Christopher Page**  
c/o HSBC  
1 Queens Road Central  
Hong Kong SAR  
Telephone No. (852) 8222-1232

**Guy Priestley**  
c/o HSBC  
GPO Box 121, G-F  
Shaheen Commercial Complex  
MR Kayani Road, Karachi, Pakistan  
Telephone No. 92-21-2630380

**Edwin Ching**  
330 Hernan Cortez Avenue, Suite 200  
Hagatna, Guam 96910  
Telephone No. (671) 472-8868

**Joseph K. Fang**  
240 Father San Vitores Road  
Tamuning, Guam 96913  
Telephone No. Unknown

**Alan Sadhwani**  
371 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-5948/1988

**Laju Sadhwani**  
371 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-5948/1988

**ANSWER TO INTERROGATORY NO. 7:** Plaintiff incorporates by reference the foregoing General Objections, Objections to Instructions, and Objections to Definitions, as though fully set forth herein. Plaintiff objects to this interrogatory on the grounds that it is vague, ambiguous and overbroad. Plaintiff objects to this interrogatory to the extent that it seeks information protected by the attorney-client or attorney work product privilege. Plaintiff also objects on the grounds that pretrial disclosure of witnesses who may be presented at trial is governed by F.R.C.P. 26(a)(3). Without waiving and subject to said objections, plaintiff responds as follows. Plaintiffs may call the following individuals to testify at trial:

**Chris Underwood**  
Hongkong & Shanghai Banking Corporation  
Ltd.  
436 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-8536

**Fred Granillo**  
Hongkong & Shanghai Banking  
Corporation Ltd.  
436 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-8528

**Stephen J. Grantham**  
Triple J Motors  
157 South Marine Drive,  
Tamuning, Guam 96913  
Telephone No. (671) 649-6555 ext. 239

**Magnus Montan**  
c/o HSBC  
1 Queens Road Central  
Hong Kong SAR  
Telephone No. (852) 2822-2528

**Lawrence M. Zhang**  
1011 Foster Street  
Alameda, California 94502  
Telephone No. (310) 521-4631

**Christopher Page**  
c/o HSBC  
1 Queens Road Central  
Hong Kong SAR  
Telephone No. (852) 8222-1232

**Chris Felix**  
Century 21 Realty Management Company  
701 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 647-5003

**Hee K. Cho**  
4032 Wilshire Boulevard #404  
Los Angeles, California 90010  
Telephone No. (323) 932-1200

**Ralph McLain**  
Lud Valley R.D. 1 Hirai Nelson  
New Zealand  
Telephone No.: Unknown

**Lee H. Vensel**  
Deloitte & Touche LLP  
361 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 646-3884 ext. 201

**Christina Carpio**  
4204 Glennwood Drive  
Killeen, Texas 76542  
Telephone No. (254) 690-9261/4224

**Barbara Gayle**  
1055 Cordova Way  
Vista, California 92081  
Telephone No. (760) 597-9406

**Florence Celeste**  
P.O. Box 94  
East Boston, Massachusetts 02128  
Telephone No. (857) 222-8958

**Anthony G. Wise**  
c/o HSBC  
Private Bag X951  
Houghton 2041, South Africa  
Telephone No. 27-11-981-4444

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910



**Guy Priestley**  
c/o HSBC  
GPO Box 121, G-F  
Shaheen Commercial Complex  
MR Kayani Road, Karachi, Pakistan  
Telephone No. 92-21-2630380

**Edwin Ching**  
330 Hernan Cortez Avenue, Suite 200  
Hagatna, Guam 96910  
Telephone No. (671) 472-8868

**Joseph K. Fang**  
240 Father San Vitores Road  
Tamuning, Guam 96913  
Telephone No. Unknown

**Patrick B. Oliva**  
First Hawaiian Bank, Maite Branch  
400 Route 8  
Mongmong, Guam 96910  
Telephone No. (671) 475-7853

**John Lee**  
First Hawaiian Bank, Maite Branch  
400 Route 8  
Mongmong, Guam 96910  
Telephone No. (671) 475-7900

**Laura Lynn Dacanay**  
First Hawaiian Bank, Maite Branch  
400 Route 8  
Mongmong, Guam 96910  
Telephone No. (671) 475-7900

**Alan Sadhwani**  
371 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-5948/1988

**Laju Sadhwani**  
371 South Marine Drive  
Tamuning, Guam 96913  
Telephone No. (671) 649-5948/1988

**Carol Gogue**  
First Hawaiian Bank, Maite Branch  
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Mongmong, Guam 96910  
Telephone No. (671) 475-7900

**Mr. Haresh Mukhi**  
Mayura Khamas Stores L.L.C.  
Murshid Bazar  
Beira, Dubai U.A.E.

**Vashi Jadwani**  
Jadwani International Inc.  
#4 Ind'l Avenue  
Severina Ind'l Estate  
KM.16 South Super Highway  
1700 Paranaque, Metro Manila  
Philippines

**Don Hemlani**  
P.O. Box 2397  
Hagatna, Guam 96932  
Telephone No. (671) 646-9866

**ANSWER TO INTERROGATORY NO. 8:**

Plaintiff incorporates by reference the foregoing General Objections, Objections to Instructions, and Objections to Definitions, as though fully set forth herein. Plaintiff objects to this interrogatory on the grounds that it is vague, ambiguous and

overbroad. Plaintiff objects to this interrogatory to the extent that it seeks information protected by the attorney-client or attorney work product privilege. Without waiving and subject to said objections, plaintiff responds as follows: None.

**ANSWER TO INTERROGATORY NO. 9:**

Plaintiff incorporates by reference the foregoing General Objections, Objections to Instructions, and Objections to Definitions, as though fully set forth herein. Plaintiff objects to this interrogatory on the grounds that it is vague, ambiguous and overbroad. Plaintiff objects to this interrogatory to the extent that it seeks information protected by the attorney-client or attorney work product privilege. Plaintiff also objects to this interrogatory on the grounds that the pretrial disclosure of expert witness identity and reports are governed by F.R.C.P. 26(a)(2). Without waiving and subject to said objections, plaintiff responds as follows: Plaintiff has not retained an expert witness at this time. In the event plaintiff retains an expert witness, plaintiff will disclose such pursuant to F.R.C.P. 26(a)(2).

**ANSWER TO INTERROGATORY NO. 10:**

Plaintiff incorporates by reference the foregoing General Objections, Objections to Instructions, and Objections to Definitions, as though fully set forth herein. Plaintiff objects to this interrogatory on the grounds that it is vague, ambiguous and overbroad. Plaintiff objects to this interrogatory to the extent that it seeks information protected by the attorney-client or attorney work product privilege. Without waiving and subject to said objections, plaintiff responds as follows:

**DAMAGES CLAIMED:**

1. Lot Nos. 10054-6, 10005-7, 10054-8, 10054-R8, Dededo: Cost: \$2,100,000; Loss or Damage: \$2,100,000.

2. Hongkong Shanghai Bank Building in Tamuning: Value \$4.2 million; Loss or Damage: \$4.2 million.
3. Sateena Mall, Dededo: Value: \$3.2 million; Loss or Damage: \$3,200,000.
4. Sharp Plaza (Deloitte & Touche): Value: \$2.5 million; Loss or Damage: \$2,500,000.
5. KSI Facility: Value: \$2 million; Loss or Damage: \$2,000,000.
6. Tick Tock Building, Tamuning: Value: \$950,000; Loss or Damage: \$950,000.
7. Tamuning Leasehold Land: Lot 2136#1-9-1 and Lot 2136#1-8-1 (formerly Donald's Mart): Value: \$300,000; Loss or Damage: \$300,000.

Plaintiffs have been engaged in the business of selling consumer electronics, appliances, watches and air conditioning units (Tick Tock). HSBC provided Letters of Credit and Receipts facilities in the purchase of such items from vendors/suppliers/manufacturers. HSBC cancelled Plaintiffs' Letter of Credit and Trust Receipts facilities. Some vendors/suppliers/manufacturers, like Panasonic and Mitsubishi, required Letters of Credit. Plaintiffs were not able to secure alternate financing from any other banking institution because all of their assets were mortgaged to HSBC. As a result, Plaintiffs were unable to purchase consumer items to replenish their inventory from these vendors/suppliers/manufacturers, resulting in Plaintiffs' loss of profits to the present date, in an amount to be proven at trial and provided in a supplemental response.

The loss or damage to the Plaintiffs as a result of the Defendant's actions as alleged in the First Amended Complaint is the difference between the valuation of Plaintiffs' lands and buildings, *i.e.*, \$15,250,000.00, less the purchase price paid by the purchaser of Plaintiffs' Loan, plus loss of profits, plus attorneys' fees, costs and punitive damages of \$10 million. See answer to interrogatory

no. 1. Also, Mark Gruber, Micronesian Appraisal, 194 Chalan San Antonio, Suite 202, Tamuning,  
telephone: 646-0234.

Dated this 30th day of April, 2004.

**ARRIOLA, COWAN & ARRIOLA**

By: Anita P. Arriola  
**ANITA P. ARRIOLA**  
Attorneys For Plaintiffs

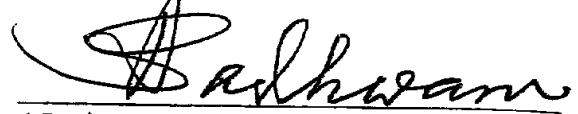
ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

VERIFICATION

GUAM, )  
 )  
CITY OF HAGATNA. ) SS:

ALAN SADHWANI, being first duly sworn, deposes and says: That he the duly authorized representative of K. SADHWANI'S, INC., a Plaintiff in the above-entitled matter; that he has read the foregoing PLAINTIFF K. SADHWANI'S INC.'S RESPONSES AND OBJECTIONS TO DEFENDANT'S FIRST SET OF INTERROGATORIES and knows the contents thereof; and certifies that the same is true as therein stated, except as to those matters stated upon information or belief, and as to those matters, he believes them to be true.

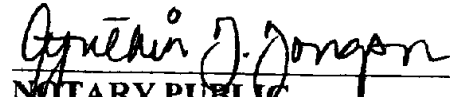
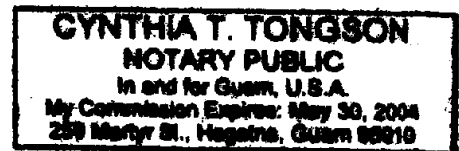
K. SADHWANI'S INC.



ALAN SADHWANI

Its Duly Authorized Representative

SUBSCRIBED AND SWORN to before me this 30th day of April, 2004, by ALAN SADHWANI, duly authorized representative of K. SADHWANI'S, INC.

  
NOTARY PUBLIC

LAW OFFICES  
**BRONZE & TANG**  
A PROFESSIONAL CORPORATION  
BANKPACIFIC BUILDING, 2ND FLOOR  
825 SOUTH MARINE CORP DRIVE  
TAMUNING, GUAM 96913

JACQUES G. BRONZE  
JERRY J. TANG

TELEPHONE: (671) 646-2001  
TELECOPIER: (671) 647-7671

June 30, 2004

VIA: FACSIMILE  
(671) 477-9734

**CONFIRMED**

Anita P. Arriola, Esq.  
ARRIOLA, COWAN & ARRIOLA  
Suite 201, C&A Professional Bldg.  
259 Martyr Street  
Hagåtña, Guam 96910

Re: Sadhwani, et al. v. HSBC, et al.; District Court of Guam Civil Case No. 03-00036

Dear Anita:

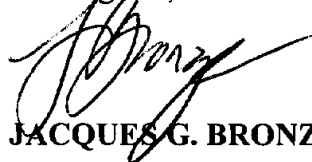
This is to inform you that I intend to file an *ex parte* application today in support of the issuance of Letters of Request to take the Deposition and Production of Documents of Haresh Mukhi in Dubai, United Arab Emirates.

You will be served with the *Ex Parte* Application, Declaration of Jacques G. Bronze and Certificate of Counsel, Memorandum of Points and Authorities, and Letters of Request for Taking the Deposition and Production of Documents of Haresh Mukhi as soon as it is filed.

Please advise if you have any objection to my *Ex Parte* Application. If you do not, I will assume that you do not wish to be present at a hearing on this matter. If this assumption is incorrect, please contact me before 1:00 p.m. today. I do not have a time the hearing will be held, but I will inform you as soon as I am aware of it.

Please feel free to contact me if you have any questions regarding the above matter.

Best regards,



JACQUES G. BRONZE

JGB:tc

D:\CLIENTS FILE\HSBC-Sadhwani\Ltrs\A Arriola-Ltr.43(ExParte Appl Ltr.Req UAE).doc

LAW OFFICES  
**BRONZE & TANG**  
A PROFESSIONAL CORPORATION  
BANKPACIFIC BUILDING, 2<sup>ND</sup> FLOOR  
825 SOUTH MARINE CORP DRIVE  
TAMUNING, GUAM 96913

TELEPHONE No.: (671) 646-2001

FACSIMILE No.: (671) 647-7671

~ ~ **FACSIMILE TRANSMITTAL SHEET** ~ ~

*Date:* June 30, 2004  
*To:* Anita P. Arriola, Esq.  
*Firm:* ARRIOLA, COWAN & ARRIOLA  
*Fax No:* 477-9734  
*From:* Jacques G. Bronze, Esq.  
*Subject:* Sadhwani, et al. v. HSBC, et al.; Civil Case No. 03-00036

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**MESSAGE:**

PLEASE SEE ATTACHED DOCUMENT(S) IN CONNECTION WITH THE ABOVE-REFERENCED MATTER:

Letter of even date.

**Fax Sent By: Tony Camacho**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE AND THE DOCUMENTS WHICH ACCOMPANY IT ARE CONFIDENTIAL COMMUNICATIONS SUBJECT TO THE ATTORNEY-CLIENT WORK PRODUCT PRIVILEGES. They are intended exclusively for the use of the addressee named above. If you are not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this communication or the accompanying document is strictly prohibited. If you have received this communication in error, please immediately notify the Law Offices of Bronze & Tang, P.C. by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

# Transmission Report

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A PROFESSIONAL CORPORATION  
SAMSUNG BUILDING, 3<sup>RD</sup> FLOOR  
825 SOUTH MARINE CORP DRIVE  
TAMUNING, GUAM 96913

TELEPHONE NO.: (671) 646-2001

FACSIMILE NO.: (671) 647-7671

## ~ ~ FACSIMILE TRANSMITTAL SHEET ~ ~

Date: June 30, 2004  
To: Anna P. Arriola, Esq.  
Firm: ARRIOLA, COWAN & ARRIOLA  
Fax No: 477-8734  
From: Jacques G. Bronze, Esq.  
Subject: Sadhvani, et al. v. HSBC, et al.; Civil Case No. 03-00036

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### MESSAGE:

PLEASE SEE ATTACHED DOCUMENT(S) IN CONNECTION WITH THE ABOVE-REFERENCED MATTER:

Letter of even date.

Fax Sent By: Tony Camacho

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Total Pages Scanned : 2' Total Pages Confirmed : 2'

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	079	4779734	6-30-04; 9:34AM	1'43"	2 / 2	EC		CP 4800

### \* Notes \*\*

C: Error Correct  
C: Broadcast Send  
P: Completed  
S: Local Scan

RE: Resend  
MP: Multi-Poll  
RM: Receive to Memory  
LP: Local Print

PD: Polled by Remote  
PG: Polling a Remote  
DR: Document Removed  
FO: Forced Output

MB: Receive to Mailbox  
PI: Power Interruption  
TM: Terminated by user  
WT: Waiting Transfer